

Topsfield Planning Board
Press Release Concerning Zoning and General By-laws
April 2005

A series of warrant articles relating to Topsfield's Zoning and General By-laws will appear on this year's annual meeting warrant. Some of these by-laws result from recommendations of the Master Planning Committee during the EO 418 planning process and other Town boards and committees; some update portions of the bylaws that have not been reviewed for over twenty years; and some correct omissions or procedural problems in Topsfield's bylaws. They cluster around four major areas of concern: agriculture, natural and historic resource protection, economic development and housing.

The Department of Agriculture is encouraging communities to establish Agricultural Commissions and to adopt "Right to Farm" by-laws in order to foster and protect farming, an important sector of the economy, in the Commonwealth. Agricultural Commissions have no statutory authority, but they do provide a forum for farmers and citizens concerned with agriculture to organize educational programs and promote agricultural activities. Right to Farm by-laws simply restate the Massachusetts General Law relative to commercial agriculture in order to highlight the rights of farmers to farm. At the same time, they clarify who is protected under these laws. The purpose of such by-laws is to foster positive relations between farmers and residents and among neighbors.

Natural resource protection is an important part of long-range planning for any community. The Stormwater and Erosion Control General By-law, developed by the Metropolitan Area Planning Committee and the Stormwater Management Committee through a grant from the Executive Office of Environmental Affairs, establishes a single permitting process for managing stormwater, a major source of erosion and water quality degradation. The by-law will streamline and make more effective the current process that requires the review of multiple boards and leaves certain endangered areas unprotected. Topsfield's water supply is limited and under significant pressure from the Commonwealth and by new development. The Town's infrastructure, including schools and emergency services, are strained. The Phased Growth by-law is designed to phase in new growth in an orderly and efficient fashion. The Route 1 corridor south of the Ipswich River is largely conservation land or land set aside for future water needs in the region. At the same time, this stretch of highway is one of the last undisturbed and scenic sections of Old Route 1. The Scenic Overlay Zone establishes design guidelines for the location of buildings and for screening of structures to be applied in the review of new development in this area.

Topsfield currently relies on single family homes for 93% of its tax revenues. Additional commercial development could provide increased revenues for the Town. Moreover, it could provide necessary services to the citizens of the Town. The Table of Uses in Article III of the Zoning Bylaw dictates what uses are permitted in the various zoning districts of the Town and the Definitions in Article I define the terms in the Table of Uses and elsewhere in the Zoning

Bylaws. Revisions to these two Articles are designed to increase economic activity in selected areas. Two uses are proposed to be allowed by special permit: Nursing and Community Care Facilities and Conference and Event Facility. Both uses could be utilized on large properties that otherwise might be residentially developed, and both uses could provide important community services. In addition, the extension of certain uses to the Business Park are being proposed to stimulate economic development in that area that is already devoted to commercial uses. Finally, the addition of one lot is proposed for the Business Village.

The final category of by-laws coming before Town Meeting relates to affordable housing that is a critical problem in the Commonwealth. Topsfield's current Elderly Housing by-law makes no provision for the inclusion of affordable housing. Further, it is in need of revision to update it for the 21st century. Revisions to the Article III, 3.16 will require the inclusion of affordable housing units in new Elderly Housing Districts or cash contributions by a developer to the Town in lieu of such affordable housing units so that the Town can develop or promote the development of affordable housing. The Affordable Housing Trust Fund by-law establishes the mechanism for the Town to receive funds, plan affordable housing and expend monies to create affordable housing in Topsfield. A new Elderly Housing District at 120 High Street is also on the warrant.

In short, the proposed warrant articles are designed to promote economic development, enable affordable housing production, protect natural resources, and support the agricultural community of Topsfield.